

proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 596. REQUIREMENT OF CONSENT OF THE CHIEF EXECUTIVE OFFICER FOR CERTAIN FULL-TIME NATIONAL GUARD DUTY PERFORMED IN A STATE, TERRITORY, OR THE DISTRICT OF COLUMBIA.**

Section 502(f)(2)(A) of title 32, United States Code, is amended by inserting “and performed inside the United States with the consent of the chief executive officer of the State (as that term is defined in section 901 of this title)” after “Defense”.

**SA 4301.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

**SEC. 844. PILOT PROGRAM ON DEFENSE INNOVATION OPEN TOPICS.**

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Under Secretary of Defense for Research and Engineering, the Secretary of the Air Force, Secretary of the Army, and the Secretary of the Navy, shall establish defense innovation open topic activities using the Small Business Innovation Research Program in order to—

- (1) increase the transition of commercial technology to the Department of Defense;
- (2) expand the small business nontraditional defense industrial base;
- (3) increase commercialization derived from defense investments;
- (4) increase diversity and participation among self-certified small-disadvantaged businesses, minority-owned businesses, and disabled veteran-owned businesses; and
- (5) expand the ability for qualifying small businesses to propose technology solutions to meet defense needs.

(b) **FREQUENCY.**—The Department of Defense and the military services shall conduct not less than one open topic announcement per fiscal year.

(c) **BRIEFING.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall provide the congressional defense committees a briefing on the establishment of the program required by subsection (a).

(d) **TERMINATION.**—The pilot program authorized in subsection (a) shall terminate on October 1, 2025.

**SA 4302.** Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by

Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI, insert the following:

**SEC. \_\_\_\_\_. ACQUISITION STRATEGY TO MODERNIZE THE JOINT STRIKE FIGHTER PROPULSION SYSTEM.**

(a) **IN GENERAL.**—Not later than 14 days after the date on which the budget of the President for fiscal year 2023 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on the modernization of the F135 propulsion system or the integration of the Adaptive Engine Transition Program propulsion system into the Joint Strike Fighter (JSF).

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following:

- (1) A cost benefit analysis of—
  - (A) integrating the Adaptive Engine Transition Program propulsion system into each of the JSF aircraft variants;
  - (B) modernizing or upgrading the existing F135 propulsion system on each of the JSF variants;
  - (C) future associated infrastructure and sustainment costs of the modernized engine;
  - (D) cost savings associated with variant and Partner commonality; and
  - (E) assess all activities and costs to retrofit and sustain all JSF with a modernized propulsion system.
- (2) An implementation plan to implement such strategy.
- (3) A schedule annotating pertinent milestones and yearly fiscal resource requirements for the implementation of a modernized JSF propulsion system.

**SA 4303.** Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. BROADBAND DEFENSE FUND.**

(a) **DEFINITIONS.**—In this section:

- (1) **ADMINISTRATION.**—The term “Administration” means the National Telecommunications Information Administration.
- (2) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.
- (3) **STATE.**—The term “State” means a State of the United States and the District of Columbia.
- (4) **SUBMARINE CABLE LANDING STATION.**—The term “submarine cable landing station” means a cable landing station, as that term is used in section 1.767(a)(5) of title 47, Code of Federal Regulations (or any successor regulation), that can be utilized to land a submarine cable by an entity that has obtained

a license under the first section of the Act entitled “An Act relating to the landing and operation of submarine cables in the United States”, approved May 27, 1921 (47 U.S.C. 34) (commonly known as the “Cable Landing Licensing Act”).

(5) **TEAM TELECOM.**—The term “Team Telecom” means the interagency working committee of the Federal Communications Commission, the Department of Defense, the Department of Homeland Security, and the Department of Justice, as described in the Report and Order of the Federal Communications Commission issued on October 1, 2020 entitled “Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership”.

(6) **TRANSPORT CAPACITY.**—The term “transport capacity”—

(A) means broadband transmission capability that does not predominantly serve end users or the last mile of the transmission network; and

(B) may include interoffice transport, backhaul, Internet connectivity, middle mile, or long-haul service used for transport of broadband data between network locations other than end-user premises or devices.

(b) **BROADBAND DEFENSE FUND.**—

(1) **NTIA ADMINISTRATION.**—Not later than 1 year after the date on which amounts are made available under paragraph (1), the Administration shall establish the Broadband Defense Fund to provide—

(A) transport capacity in or to connect to States where the headquarters of the United States Indo-Pacific Command are located; and

(B) open access carrier neutral submarine cable landing stations in States where the headquarters of the United States Indo-Pacific Command are located.

(2) **AWARD OF SUPPORT.**—The Administration shall establish a process to award amounts from the Broadband Defense Fund under this section in accordance with the following requirements:

(A) Support shall be awarded only for deployment, maintenance, and operation of transport broadband capacity, in locations or on routes that are not supported or expected to be supported under any other of the high-cost universal service support programs of the Federal Communications Commission.

(B) The Administration shall establish criteria for awarding support in a manner consistent with this section, including supporting the broadband needs of the United States Indo-Pacific Command and the surrounding communities.

(3) **OBLIGATIONS OF FUND RECIPIENTS.**—

(A) **IN GENERAL.**—The Administration shall ensure that each recipient of amounts from the Broadband Defense Fund is legally, technically, and financially qualified to complete the required broadband deployment within the term of support.

(B) **ACCESS.**—Recipients of amounts from the Broadband Defense Fund shall provide carrier-neutral wholesale access to landing spots and transport capacity supported by the Fund—

(i) on just, reasonable, affordable, and reasonably non-discriminatory terms, as determined by rules issued by the Administration; and

(ii) at rates no higher than the national average wholesale price of comparable wholesale telecommunications transport services, as determined by the Administration.

(C) **VENDER VETTING.**—Any grant, subgrant, or contract awarded using amounts from the Broadband Defense Fund relating to a submarine cable landing station or undersea transport capacity activity may only be